



IR AF

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO. 10/035,890

FILING DATE: December 31, 2001

FIRST NAMED INVENTOR: Douglas A. Nagan

EXAMINER: Hamilton, Lalita M.

ART UNIT: 3624

RESPONSE TO FINAL OFFICE ACTION

Box AF
Commissioner of Patents
P.O.Box 1450
Alexandria, VA 22313-1450

A response to the final Office Action of July 24, 2008 is being timely filed by the due date. Since a reference applied by the examiner, (Stoltz Application No. 10/022,438 filed on December 20, 2001) has a patent or publication date less than 1 year before our filing date applicants request reconsideration under rule 131 to show prior inventorship to overcome the rejection by filing the attached affidavits.

Reconsideration and allowance are requested

Douglas A. Nagan
32 Lobb Lane
Deep River, CT 06426
860-526-4743
Edward M. Dunham, Jr.
4024 Timber Lane
Philadelphia, PA 19129
215.844.0241

Introductory Statement

Applicant submits this response in response to the final official action mailed July 24, 2008. This response contains:

Affidavit by Douglas A. Nagan showing prior inventorship to Stoltz.

Affidavit by Edward Dunham showing prior inventorship to Stoltz.

Arguments pointing out, given that Stoltz is no longer applicable, how Spielman no longer applies.

Reconsideration and allowance are requested